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DISTRICT OF MARY

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BY [signature]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

MITHUN BANERJEE
Plaintiff,

*
* Case No.

v.

*
* Removed from the District Court
* For Montgomery County, Maryland
* Case No. 060200037612018
*

VIVINT SOLAR DEVELOPER LLC
Defendant

* * * * *

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1343, 1651 and 1367, Pro Se Plaintiff, hereby remove this action from the District Court for Montgomery County, Maryland, to the United States District Court for the District of Maryland, Southern Division.

Removal is based upon federal question jurisdiction because Plaintiff Mithun Banerjee ("Plaintiff") asserts, *inter alia*, that Defendants altered the Power Purchase Agreement & send the same across State Line & committed a Fraud & wants to enforce the same Power Purchase Agreement by a Motion where Plaintiff is a Defendant.

I. Background

Plaintiff filed this Complaint against Defendants, in the District Court for Montgomery, Maryland, Case No. 060200037612018. A copy of the Complaint was served to the Defendants, attached as **Exhibit A.**

Plaintiff alleges that Defendants altered the Power Purchase Agreement & send the same across State Line & committed a Fraud & wants to enforce the same Power Purchase Agreement by a Motion where Plaintiff is a Defendant.

Plaintiff is not knowledgeable of all the Federal Laws as Plaintiff is not an Attorney & Pro-Se. Plaintiff requests appropriate relief from the Honorable Court.

II. Removal Procedures

Venue is appropriate in this Court, and Plaintiff seeks to remove this case to the United States District Court for the District of Maryland pursuant to 28 U.S.C. § 1343, 1651, and 1367. The District Court for Montgomery County, Maryland is located within this District and cases arising in the District for Montgomery County, Maryland are properly assigned to this Court. *See* 28 U.S.C. § 100(2).

In accordance with 28 U.S.C. § 1446(d), a true and correct copy of this Notice of Removal (without exhibits) is being filed contemporaneously with the Clerk of the District Court for Montgomery County, Maryland and served upon all parties of record. *See* Notice of Filing of Removal, attached as **Exhibit B.**

III. This Court Has Federal Question Jurisdiction.

This Court has original jurisdiction here pursuant to 28 U.S.C. § 1343, 1651, and 1367 because it is apparent on the face of Plaintiffs Complaint that this action presents substantial questions of federal law.

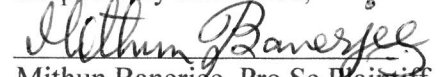
Further, to the extent the Complaint alleges statutory, state common law, or other nonfederal claims, this Court has supplemental jurisdiction over any such claims under 28 U.S.C. § 1367 because those claims arise out of the same operative facts as Plaintiffs claims under federal law and "form part of the same case or controversy under Article III of the United States Constitution." 28 U.S.C. § 1367(a). Plaintiff believes that this case falls under Civil Nature of Suit Code Descriptions Personal Property Code 370, Other Fraud.

IV. Conclusion

WHEREFORE, Plaintiff respectfully request the above-captioned action now pending in the District Court for Montgomery County, Maryland, be removed to the United States District Court for the District of Maryland, and that said United States District Court assume jurisdiction of this action and enter such other and further orders as may be necessary to accomplish the requested removal and promote the ends of justice.

Date: March 12th, 2019

Respectfully Submitted,


Mithun Banerjee, Pro Se Plaintiff,
13119 Fernedge Road,
Silver Spring, MD-20906.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 12th, 2019, a copy of foregoing was filed in person in the Court and served via first class mail, postage prepaid to: VIVINT SOLAR DEVELOPER LLC, JOHN D SADLER, 1909 K STREET NW 12TH FL, WASHINGTON D.C.-20006.


Mithun Banerjee

Exhibit-A.

IN THE DISTRICT COURT OF MONTGOMERY COUNTY, MARYLAND

MITHUN BANERJEE

Plaintiff,

V.

VIVINT SOLAR DEVELOPER LLC

Defendant.

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Case No.- 060200037612018

Motion Hearing Date: March 16th, 2020.

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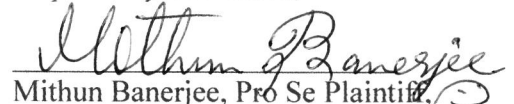
NOTICE OF FILING OF REMOVAL

PLEASE TAKE NOTICE THAT, on March 12th, 2020 Plaintiff filed its Notice of Removal in the United States District Court for the District of Maryland, Southern Division. A copy of Plaintiffs' Notice of Removal, without exhibits, is attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to 28 U.S.C. § 1446, the filing of the Notice of Removal with the United States District Court, together with the filing of this Notice of Filing of Removal, effect the removal of the action and this Court shall proceed no further unless and until the case has been remanded.

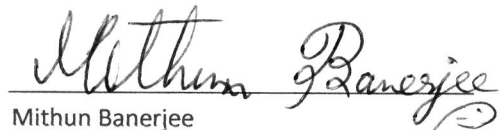
Date: March 12th, 2020

Respectfully Submitted,


Mithun Banerjee, Pro Se Plaintiff,
13119 Fernedge Road,
Silver Spring, MD-20906.

Certificate of Service

I HEREBY CERTIFY that on March 12th, 2020, a copy of foregoing was filed in person in the Court and served via first class mail, postage prepaid to: VIVINT SOLAR DEVELOPER LLC, JOHN D SADLER, 1909 K STREET NW 12TH FL, WASHINGTON D.C.-20006.


Mithun Banerjee